

## **II. AMENDMENTS TO THE CLAIMS**

Claim 1. (Cancelled)

Claim 2. (Currently Amended) A substantially purified nucleic acid molecule of the *Arabidopsis thaliana* genome comprising from about 30 to 300 nucleotide residues of the nucleic acid sequence of SEQ ID NO: 5272, or the complements thereof.

Claims 3 to 5. (Cancelled)

Claim 6. (Original) The substantially purified nucleic acid molecule according to claim 2, wherein said nucleic acid molecule further comprises nucleic acid sequences comprising one or more of a promoter region, regulatory region or intron region or parts of said regions.

Claim 7. (Currently Amended) A substantially purified first nucleic acid molecule which is complementary to a second nucleic acid molecule of the *Arabidopsis thaliana* genome comprising from about 30 to 300 nucleotide residues of the nucleic acid sequence of SEQ ID NO: 5272 or the complements thereof wherein said first nucleic acid molecule and said second nucleic acid molecule hybridize to one another with sufficient stability to remain annealed to one another under at least low stringency conditions of washing with a salt solution having a concentration of about 2.0 X sodium chloride/sodium citrate (SSC) at 50°C.

Claim 8. (Original) The substantially purified first nucleic acid molecule according to claim 7, wherein said stringency conditions are at least 0.2 X SSC at 50°C.

Claims 9 to 11. (Cancelled)

Claim 12. (Currently Amended) A substantially purified first nucleic acid molecule which is homologous to a second nucleic acid molecule comprising from about 30 to 300 nucleotide residues of the nucleic acid sequence of SEQ ID NO: 5272 or ~~the~~ complements thereof, wherein at least 90% of the nucleic acid sequence of said substantially purified first nucleic acid molecule is identical to said second nucleic acid molecule.

Claim 13. (Original) The substantially purified first nucleic acid molecule according to claim 12, wherein said first nucleic acid sequence is 100% identical to a nucleic acid sequence of a non-*Arabidopsis thaliana* homologue.

Claim 14. (Original) The substantially purified first nucleic acid molecule according to claim 12, wherein at least 98% of the sequence of said substantially purified nucleic acid molecule is identical to said second nucleic acid molecule.

Claims 15 to 18. (Cancelled)

Claim 19. (Previously Presented) A transformed cell or organism cell or plant comprising an exogenous nucleic acid molecule which comprises:

- (a) a promoter region which functions in said cell to cause the production of a mRNA molecule; which is linked to
- (b) a structural nucleic acid molecule which is homologous or complementary to the nucleic acid molecule according to claim 2, which is linked to

- (c) a 3' non-translated sequence that functions in said cell to cause termination of transcription and addition of polyadenylated ribonucleotides to a 3' end of said mRNA molecule.

Claim 20. (Original) A transformed cell or organism according to claim 19 which is selected from the group consisting of a plant cell, plant, mammalian cell, mammal, fish cell, fish, bird cell, bird, bacterial cell and fungal cell and wherein said mRNA encodes a protein in said cell.

Claim 21. (Original) A transformed cell or organism according to claim 19, wherein said structural nucleic acid molecule is a transcribed nucleic acid molecule with a transcribed strand and a nontranscribed strand and the transcribed strand specifically hybridizes to an mRNA molecule.

Claims 22 and 23. (Cancelled)

Claim 24. (Currently Amended) A transformed cell or organism comprising an exogenous nucleic acid molecule which comprises:

- (a) a promoter region which functions in said cell to cause the production of an mRNA molecule wherein said promoter nucleic acid molecule ~~is selected from the group consisting of a promoter comprises from about 30 to 300 nucleotide residues of located within~~ SEQ ID NO: 5272 or the complements thereof; which is linked to
- (b) a structural nucleic acid molecule encoding a protein or peptide; which is linked to

- (c) a 3' non-translated nucleic acid sequence that functions in said cell to cause termination of transcription and addition of polyadenylated ribonucleotides to a 3' end of said mRNA molecule.

Claim 25. (Original) A transformed cell or organism according to claim 24 which is selected from the group consisting of a plant cell, plant, mammalian cell, mammal, fish cell, fish, bird cell, bird, bacterial cell and fungal cell and wherein said mRNA encodes a protein in said cell.

Claim 26. (Previously Presented) A transformed cell or organism comprising an exogenous nucleic acid molecule which comprises a structural nucleic acid sequence which expresses an mRNA which is complementary to and hybridizes to at least part of the nucleic acid sequence of SEQ ID NO: 5272 and homolog thereof.

Claims 27 to 31. (Cancelled)

Claim 32. (Previously Presented) A collection of at least 1000 non-identical oligonucleotides comprising the substantially purified oligonucleotide nucleic acid molecule according to claim 27.

Claim 33. (Previously Presented) A collection of at least 2000 non-identical oligonucleotides comprising the substantially purified oligonucleotide nucleic acid molecule according to claim 27.

Claim 34. (Previously Presented) A collection of at least 5000 non-identical oligonucleotides comprising the substantially purified oligonucleotide nucleic acid molecule according to claim 27.

Claim 35. (Previously Presented) A collection of at least 10,000 non-identical oligonucleotides comprising the substantially purified oligonucleotide nucleic acid molecule according to claim 27.

Claim 36. (Previously Presented) A collection of at least 15,000 non-identical oligonucleotides comprising the substantially purified oligonucleotide nucleic acid molecule according to claim 27.

Claim 37. (Previously Presented) A collection of at least 20,000 non-identical oligonucleotides comprising the substantially purified oligonucleotide nucleic acid molecule according to claim 27.

Claim 38. (Original) A collection according to claim 32 wherein said oligonucleotides are situated in an array on a substrate.

Claims 39 to 59. (Cancelled)

Claim 60. (New) A substantially purified nucleic acid molecule of the *Arabidopsis thaliana* genome comprising at least about 30 nucleotide residues of either SEQ ID NO: 5272 or complement thereof.

Claim 61. (New) A substantially purified nucleic acid molecule of the *Arabidopsis thaliana* genome comprising at least from about 30 to 300 nucleotide residues of either SEQ ID NO: 5272 or complement thereof.